

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal No. 09-139 (JNE/JJK)

ARTHUR JAMES CHAPPELL,

Defendant.

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**DEFENDANT ARTHUR JAMES CHAPPELL'S MOTION TO DISMISS THE  
SUPERSEDING INDICTMENT BASED UPON VINDICTIVE PROSECUTION**

The defendant, by and through his attorney, hereby moves the Court for an order dismissing the superseding indictment in this matter based upon the theory of vindictive prosecution. The accompanying memorandum of law supports the motion. The defense respectfully requests an evidentiary hearing on this motion. At that hearing, the defense will call as witnesses all lawyers who participated in this case prior to the issuance of the superseding indictment.

Respectfully submitted,

*Gary R. Wolf*

Dated: April 18, 2012.

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Gary R. Wolf  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing has been delivered through the Court's electronic filing system to the following at the time of filing:

David Steinkamp, Esq., AUSA  
United States Department of Justice  
St. Paul, MN

Dated: April 18, 2012.

*Gary R. Wolf*

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Gary R. Wolf